

Form 149

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:

Timothy R. Jennings
Naomi F. Jennings
Debtor(s)

Bankruptcy Case No.: 16-20517-GLT
Issued Per 1/21/2021 Proceeding
Chapter: 13
Docket No.: 95 - 83, 89
Concil. Conf.: January 21, 2021 at 11:00 AM

ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated December 22, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$998.00 as of February, 2021. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. *A final plan conciliation conference will be held on Jan. 21, 2021 at 11:00 AM, in remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteewdpa.com.* If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- H. Additional Terms: A Fee Application is needed if any fee (including retainer) exceeds \$4,000.00 including any fees paid to prior counsel.

The Trustee's Certificate of Default [Dkt. No. 83] is resolved this confirmation order.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) IT IS FURTHER ORDERED THAT:

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

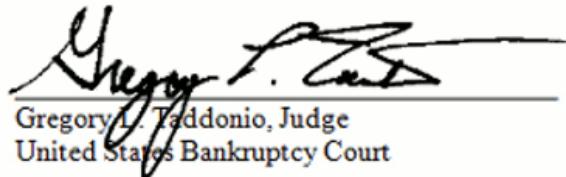
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any *secured claim* that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory L. Taddonio, Judge
United States Bankruptcy Court

Dated: January 22, 2021

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
Timothy R. Jennings
Naomi F. Jennings
Debtors

Case No. 16-20517-GLT
Chapter 13

District/off: 0315-2
Date Rcvd: Jan 22, 2021

User: dbas
Form ID: 149

Page 1 of 3
Total Noticed: 45

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 24, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Timothy R. Jennings, Naomi F. Jennings, 162 North 10th Street, Connellsville, PA 15425-2411
cr	+ Ditech Financial LLC, 14841 Dallas Parkway, Suite 300, Dallas, TX 75254-7883
cr	+ NewRez LLC d/b/a Shellpoint Mortgage Servicing, Shellpoint Mortgage Servicing, P.O. Box 10826, GREENVILLE, SC 29603-0826
14179112	AHN Emergency Group of Fayette County, P.O. Box 14000, Belfast, ME 04915-4033
14179111	+ Advanced Disposal, P.O. Box 266, 1184 McClellandtown Road, McClellandtown, PA 15458-1118
14179114	CBCS, P.O. Box 2724, Columbus, OH 43216-2724
14179115	+ CCSI, P.O. Box 34119, Memphis, TN 38184-0119
14179117	++ COLUMBIA GAS, 290 W NATIONWIDE BLVD 5TH FL, BANKRUPTCY DEPARTMENT, COLUMBUS OH 43215-4157 address filed with court; Columbia Gas of PA, 200 Civic Center Drive--11th Floor, Columbus, OH 43215
14179113	+ Capital One Auto Finance, 9441 LBJ Freeway--Suite 350, Dallas, TX 75243-4545
14179116	Citifinancial, Bankruptcy Department, P.O. Box 140069, Irving, TX 75014-0069
14179119	+ Debt Recovery Solutions, LLC, P.O. Box 9004, Westbury, NY 11590-9004
14257697	Ditech Financial LLC, F/K/A Green Tree Servicing LLC, PO Box 6154, Rapid City, SD 57709-6154
14179121	Ditech Financial, LLC, Ditech Bankruptcy Department, P.O. Box 6154, Rapid City, SD 57709-6154
14179122	Elizur Corporation, 9800 A McKnight Road, Pittsburgh, PA 15237-6003
14179123	Escallate, LLC, P.O. Box 630906, Cincinnati, OH 45263-0906
14179124	+ Highlands Hospital, 401 East Murphy Avenue, Connellsville, PA 15425-2700
14179125	+ Home Depot, P.O. Box 790328, Saint Louis, MO 63179-0328
14179126	+ IC System, Inc., 444 Highway 96 East, P.O. Box 64378, Saint Paul, MN 55164-0378
14179127	+ Laurel Physiatry, Inc., 159 B Morgantown Street, Uniontown, PA 15401-4228
14179128	+ McCabe, Weisberg & Conway, 123 South Broad Street--Suite 1400, Philadelphia, PA 19109-1060
15171997	NewRez LLC d/b/a Shellpoint Mortgage Servicing, P.O. Box 10826, Greenville, SC 29603-0826
14179131	Northland Group, Inc., P.O. Box 129, Thorofare, NJ 08086-0129
14179132	Orthopedic & Sports PT Associates, Professional Plaza--Suite 107, 625 Lincoln Avenue, North Charleroi, PA 15022-2451
14179133	Peerless Credit Services, Inc., P.O. Box 518, Middletown, PA 17057-0518
14179134	Penn Credit, 916 South 14th Street, P.O. Box 988, Harrisburg, PA 17108-0988
14179138	+ Stephens & Michaels Associates, Inc., 7 Stiles Road, Salem, NH 03079-4848
14179139	Uniontown Hospital, 500 West Berkeley Street, Uniontown, PA 15401-5596
14179140	+ Velocity Investments. LLC, 1800 Route 34N, Suite 404A, Wall, NJ 07719-9147
14179145	+ Westmoreland Hospital, 532 West Pittsburgh Street, Greensburg, PA 15601-2282

TOTAL: 29

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: acg.acg.ebn@americaninfosource.com	Jan 23 2021 03:47:40	Capital One Auto Finance c/o Ascension Capital Gro, c/o AIS Portfolio Services, LP, 4515 N. Santa Fe Ave., Dept. APS, Oklahoma City, OK 73118-7901
14212399	+ Email/PDF: acg.acg.ebn@americaninfosource.com	Jan 23 2021 03:42:48	Capital One Auto Finance, c/o AIS Portfolio Services, LP f/k/a AIS, 4515 N. Santa Fe Ave.

District/off: 0315-2

User: dbas

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Date Rcvd: Jan 22, 2021

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Total Noticed: 45

14179118	+ Email/Text: bdsupport@creditmanagementcompany.com	Jan 23 2021 03:19:00	Dept. APS, Oklahoma City, OK 73118-7901
14179120	Email/Text: G06041@att.com	Jan 23 2021 03:19:00	Credit Management Company, 2121 Noblestown Road, P.O. Box 16346, Pittsburgh, PA 15242-0346
14179129	+ Email/Text: bankruptcydpt@mcmcg.com	Jan 23 2021 03:18:00	Direct TV, P.O. Box 78626, Phoenix, AZ 85062-8626
14179130	+ Email/Text: bankruptcydpt@mcmcg.com	Jan 23 2021 03:18:00	Midland Credit Management, 8875 Aero Drive--Suite 200, San Diego, CA 92123-2255
14195060	Email/PDF: cbp@onemainfinancial.com	Jan 23 2021 03:47:28	Midland Funding, 2365 Northside Drive--Suite 30, San Diego, CA 92108-2709
14179136	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jan 23 2021 03:36:12	One Main Financial, P.O. Box 140489, Irving, TX 75014-0489
14179135	+ Email/PDF: resurgentbknotifications@resurgent.com	Jan 23 2021 03:36:21	Portfolio Recovery, 120 Corporate Boulevard--Suite 1, Norfolk, VA 23502
14255202	+ Email/PDF: resurgentbknotifications@resurgent.com	Jan 23 2021 03:36:22	Pinnacle Credit Service, P.O. Box 640, Hopkins, MN 55343-0640
14179137	+ Email/Text: bankruptcy@rentacenter.com	Jan 23 2021 03:19:00	Pinnacle Credit Services, LLC its successors and, assigns as assignee of Cellco, Partnership d/b/a Verizon Wireless, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14179141	+ Email/Text: wfmelectronicbankruptcynotifications@verizonwireless.com	Jan 23 2021 03:18:00	Rent-a-Center, 207 Wal Mart Drive, Uniontown, PA 15401-8423
14179142	Email/Text: wfmelectronicbankruptcynotifications@verizonwireless.com	Jan 23 2021 03:18:00	Verizon, Attn: Bankruptcy, 500 Technology Drive, Weldon Spring, MO 63304-2225
14179143	Email/PDF: gecsed@recoverycorp.com	Jan 23 2021 03:42:42	Verizon Wireless Bankruptcy Admin., P.O. Box 3397, Bloomington, IL 61702-3397
14179144	+ Email/Text: bankruptcy@firstenergycorp.com	Jan 23 2021 03:18:00	Walmart/Synchrony Bank, Attn: Bankruptcy Department, P.O. Box 965060, Orlando, FL 32896-5060
14215282	+ Email/Text: bankruptcy@firstenergycorp.com	Jan 23 2021 03:18:00	West Penn Power, Customer Service Center, P.O. Box 1392, Fairmont, WV 26555-1392
			West Penn Power, 5001 NASA Blvd, Fairmont WV 26554-8248

TOTAL: 16

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Capital One Auto Finance
cr		Ditech Financial LLC
14211283	*P++	COLUMBIA GAS, 290 W NATIONWIDE BLVD 5TH FL, BANKRUPTCY DEPARTMENT, COLUMBUS OH 43215-4157, address filed with court:, Columbia Gas of PA, P.O. Box 117, Columbus, OH 43216
14179146	##	Frank A. Yarussi, M.D. & Associates, P.O. Box 308, Presto, PA 15142-0308
14212442	##+	Porania LLC, P. O. Box 11405, Memphis TN 38111-0405

TOTAL: 2 Undeliverable, 1 Duplicate, 2 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

District/off: 0315-2

User: dbas

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Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 24, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 22, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Ditech Financial LLC bnicholas@kmllawgroup.com
Daniel R. White	on behalf of Joint Debtor Naomi F. Jennings sheila@zeblaw.com;r63228@notify.bestcase.com;elisa@zeblaw.com;gianna@zeblaw.com
Daniel R. White	on behalf of Debtor Timothy R. Jennings sheila@zeblaw.com;r63228@notify.bestcase.com;elisa@zeblaw.com;gianna@zeblaw.com
Joseph A. Dessoye	on behalf of Creditor Ditech Financial LLC pawb@fedphe.com
Joshua I. Goldman	on behalf of Creditor Ditech Financial LLC jgoldman@kmllawgroup.com kevin.shatley@padgettlawgroup.com;angelica.reyes@padgettlawgroup.com
Joshua I. Goldman	on behalf of Creditor NewRez LLC d/b/a Shellpoint Mortgage Servicing josh.goldman@padgettlawgroup.com kevin.shatley@padgettlawgroup.com;angelica.reyes@padgettlawgroup.com
Laurence A. Mester	on behalf of Creditor Capital One Auto Finance lmester@mesterschwartz.com jschwartz@mesterschwartz.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnenour	cmecl@chapter13trusteewdpa.com

TOTAL: 9